

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BUILDING SERVICE 32BJ HEALTH FUND and
BUILDING SERVICE 32BJ THOMAS SHORTMAN
TRAINING, SCHOLARSHIP AND SAFETY FUND,

Plaintiffs,

-against-

MERIDIAN MATERIALS, INC.,

Defendant.

DEFAULT JUDGMENT

20 Civ. 3376 (GBD)

GEORGE B. DANIELS, United States District Judge:

This action having been commenced on April 30, 2020, by the filing of a Summons and Complaint, and a copy of the Summons and Complaint having been served on Defendant Meridian Materials, Inc. on May 12, 2020, by personally serving Kyung Yoo, Secretary to George Hong, President, and proof of service having been filed on June 1, 2020, and Defendant having failed to answer, appear, or otherwise move with respect to the Complaint, and the time for appearing, answering or moving having expired, it is hereby:

ORDERED, ADJUDGED, AND DECREED that a judgment is entered in favor of Plaintiffs Building Service 32BJ Health Fund and Building Service 32BJ Thomas Shortman Training, Scholarship and Safety Fund against Defendant as follows:

1. Defendant is required to permit and cooperate in the conduct of an audit by the Funds' auditor of the books and records of the Defendant, for the period July 1, 2016 through December 31, 2017, including immediate production of the Individual earnings records (payroll history records), Weekly payroll journals, Timesheets, Quarterly Federal and State payroll tax returns, W-2s, Employee

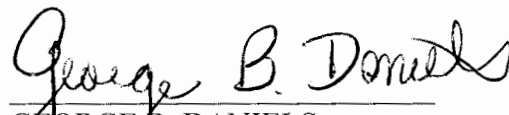
Roster (including job descriptions, job locations, hire, leave, and termination dates), General Ledger/Cash Disbursement Journal, and Employees' 401(k) enrollment, and any other documents deemed necessary for the audit to be properly conducted;

2. Plaintiffs are awarded the audit fees already incurred in attempting to perform the payroll compliance audit;
3. Plaintiffs are awarded the audit fees that will be incurred in actually performing the payroll compliance audit; and
4. Plaintiffs are awarded reasonable attorney's fees and costs of the action pursuant to Employee Retirement Income Security Act.

The Clerk of Court is hereby ORDERED to enter final judgment in favor of Plaintiffs against Defendant.

Dated: New York, New York
July 6, 2020

SO ORDERED:



GEORGE B. DANIELS
United States District Judge